

REMARKS

This amendment responds to the final office action mailed June 26 2008. In the final office action the Examiner:

- rejected claims 45-53, 56-58, 61-64, 67-73, 76-78 and 81 under 35 U.S.C. 102(b) as anticipated by Kennedy (US 6,330,589); and
- rejected claims 54, 55, 65, 66, 74 and 75 under 35 U.S.C. 103(a) as being unpatentable over Kennedy (US 6,330,589, hereinafter “Kennedy”) in view of Comer et al. (“Conversation-Based Mail,” hereinafter “Comer”).

Pending claims include: 45-58, 61-78, 81.

AMENDMENTS TO SPECIFICATION

The change to paragraph 0054 conforms to the use of a trademark. (See MPEP § 608.01(v))

Reference numbers in some of the figures were identified as not appearing in the specification text. Therefore, changes to paragraphs 0062, 0065, 0066, 0072, 0076, 0077, 0080, 00102, 00116, and 00152 conform text to reference numbers in Figures 5A, 6A, 6D, 7B, 7C, 9B, 12, and 15.

The changes to paragraphs 0098 and 00101 are made to correct informalities.

The changes to paragraph 00143 are supported by Fig. 19. Furthermore, it is well known that the terms “computer readable storage medium” and “memory” or “memory device” are often used interchangeably.

No new matter has been added by the changes described above.

Claim Rejections Under 35 USC §102(b)

The Examiner rejected claims 45-53, 56-58, 61-64, 67-73, 76-78 and 81 under 35 U.S.C. 102(b) as being anticipated by Kennedy. For a proper showing that Kennedy anticipates these claims, Kennedy must disclose all elements of each rejected claim. (See, MPEP §2131.)

Claim 45 states:

A method for searching messages in a conversation-based message system, comprising:

at a client:

receiving a query from a requestor;

transmitting the query over a network to a conversation management system;

receiving from the conversation management system a list of conversations, each of the conversations in the list having a respective conversation identifier, and wherein each conversation comprises one or more messages sharing a common set of characteristics that meet first predefined criteria; and

presenting at least a portion of the list of conversations to the requestor.
(emphasis added)

Kennedy does not Teach “Transmitting the Query Over a Network to a Conversation Management System”

Kennedy’s client database for managing conversation threads is structurally different from the conversation management system of the pending claims. Claim 45 requires that “the query” from the requestor at the client is transmitted to a conversation management system “over a network.” The remaining pending independent claims (claims 49, 50, 60, 67, 69, 76, and 80) share similar limitations. Thus, the conversation management system (or generating and selecting a list of conversations as described in some pending claims), in contrast to Kennedy’s “message manager system,” is not at the client. Kennedy describes a message manager system that uses a database “stored at the client” to support conversation threading of messages “at the client.” (See, Kennedy, col. 5, lns 11-16 and col. 9, lns 34-39.) Kennedy further describes a message manager system intended for a MAPI format, (Kennedy, col. 9, lns 20-44), which is a client-based messaging architecture known in the art. Therefore, Kennedy’s system only supports client-based message systems and does not describe any other conversation management system. In contrast, the pending claims teach a system for processing a plurality of conversations external to the client, i.e., accessed over a network. Kennedy’s message manager system is, therefore, client-centric while the pending claims teach a system for managing conversations using a conversation management system that is accessed via a network. For example, a conversation management system according to the pending claims may be operated at a server (see claims 50, 61, 70, for example), thus relieving the client from storing, organizing and

processing thousands of emails. In summary, the system for managing conversations described in the pending claims (one that is accessible over a network) is distinct from Kennedy's message management system, which relies entirely on client-side processing. In essence, Kennedy teaches a fat, robust client, whereas the pending claims teach a skinny client. Therefore, for at least these reasons, Kennedy does not teach a message managing system other than one that is stored at the client, and does not anticipate any of the pending claims.

Kennedy does not Teach "Receiving a Query from a Requestor"

Furthermore, Kennedy does not teach "at a client," "receiving a query from a requestor" as recited in claim 45 (claims 49, 67, 76 and 80 recite similar limitations). The Examiner incorrectly equates "client" to "requestor." In the context of the pending claims, equating a client to a requestor makes no sense since claim 45 requires receiving, at a client, a query from a requestor. Thus, the very structure of claim 45 requires that the requestor is a separate entity from the client.

Examiner also incorrectly treats "receiving" a query as being the same as "transmitting" a query or command, when in fact they are two different operations as indicated by the pending claims, some of which are directed to a client (or method performed at a client) and others of which are directed to a server (or method performed at a server). Also, as explained in the previous response, there is simply no teaching of a search or query at all in Kennedy. Therefore, neither Kennedy, nor claim 45 for that matter, describes "a client" that makes a "query." Consequently, Kennedy does not anticipate claims 45, 67, 76 and 80 because Kennedy does not teach "a requestor," such as a user at a client, who makes a "query" request.

Claim Rejections Under 35 USC §103

Dependent claims 54, 55, 65, 66, 74 and 75 are patentable over the prior art of record for at least the same reasons as their respective parent claims. Examiner cites Kennedy in view of Comer against one or more of the dependent claims referenced above. As stated above, Kennedy does not disclose any of the limitations of the above pending claims. Comer is cited by the Examiner in combination with Kennedy only with respect to features of dependent claims 54, 55, 65, 66, 74 and 75. Comer does not disclose any of the claim limitations of the independent claims that are analyzed in detail above, and has not been cited by the Examiner as having disclosed any of those claim limitations. Therefore,

for the purposes of this response, the patentability of dependent claims 54, 55, 65, 66, 74 and 75 over the cited references is based entirely on the patentability of their respective parent claims. Examiner is respectfully requested to withdraw his rejection.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-4000, if a telephone call could help resolve any remaining items.

Respectfully submitted,

Date: August 26, 2008

/ Gary S. Williams /

31,066

Gary S. Williams

(Reg. No.)

MORGAN, LEWIS & BOCKIUS LLP

2 Palo Alto Square

3000 El Camino Real, Suite 700

Palo Alto, CA 94306

(650) 843-4000